

## **REMARKS/ARGUMENT**

### **I. General Remarks**

Please consider the application in view of the following remarks. Applicants thank the Examiner for his careful consideration of this application and the references that Applicants have submitted.

### **II. Disposition of Claims**

At the time of the Office Action, claims 1, 6-22, 24-34, 36-47, 50-59, 88, and 89 were pending in this application and claims 1, 6-22, 24-31, 34, 36-47, 50-59, 88 and 89 were rejected. By this paper, Applicants have amended claims 1, 7, 10, 12, 20, 41, 44, and 47 and canceled claims 30-33. Applicants respectfully submit that these amendments do not add any new matter. Applicants respectfully request reconsideration in light of the remarks and amendments contained herein.

### **III. Remarks Regarding Allowable Subject Matter**

In the Office Action, the Examiner noted that claims 32 and 33 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (Office Action at 8.) Furthermore, with respect to these claims the Examiner noted “Neither Reddy no Jorda, the closest prior art, teaches or fairly suggests a particle coating comprising a material as instantly claimed.” (Office Action at 8.) Applicants thank the Examiner for his indication that these claims would be allowable. Accordingly, to place this application in condition for allowance, Applicants have amended independent claims 1, 44, and 47 to recite the allowable subject matter of dependent claims 32 and 33. Because Applicants have amended independent claims 1, 44, and 47 to recite this allowable subject matter, Applicants respectfully assert that independent claims 1, 44, and 47 and their dependent claims are allowable over the cited art. Thus, Applicants respectfully request the allowance of those claims.

### **IV. Rejection of Claims Under 35 U.S.C. § 102**

Claims 1, 6, 7, 11-22, 24-29, 40, 41, 43-47, 51-59, 88, and 89 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2004/0144537 by Reddy *et al.* (hereinafter “Reddy”). Although Applicants do not necessarily agree with these rejections, Applicants have amended independent claims 1, 44, and 47 to place these claims in condition for

allowance.

As set forth above in Section III, Applicants have amended independent claims 1, 44, and 47 to recite the allowable subject matter of dependent claims 32 and 33. Accordingly, Applicants respectfully submit that independent claims 1, 44, and 47 and their dependent claims are allowable over *Reddy*, and respectfully request the withdrawal of these rejections.

**V. Rejection of Claims Under 35 U.S.C. § 103**

**A. Claims 1, 6, 7, 11, 13, 14, 17, 18, 24, 26-31, 41, 43, 44, 46, 47, 50-52, 54-56, 58, 88, and 89**

Claims 1, 6, 7, 11, 13, 14, 17, 18, 24, 26-31, 41, 43, 44, 46, 47, 50-52, 54-56, 58, 88, and 89 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,256,936 issued to Johnson *et al.* (hereinafter "*Johnson*") in view of U.S. Patent No. 3,145,773 issued to Jorda *et al.* (hereinafter "*Jorda*"). Although Applicants do not necessarily agree with these rejections, Applicants have amended independent claims 1, 44, and 47 to place these claims in condition for allowance.

As set forth above in Section III, Applicants have amended independent claims 1, 44, and 47 to recite the allowable subject matter of dependent claims 32 and 33. Accordingly, Applicants respectfully submit that independent claims 1, 44, and 47 and their dependent claims are allowable over the combination of *Johnson* and *Jorda*, and respectfully request the withdrawal of these rejections.

**B. Claims 8-10, 34, 36-39, and 42**

Claims 8-10, 34, 36-39, and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Johnson* in view of *Reddy*. Although Applicants do not necessarily agree with these rejections, Applicants have amended independent claim 1 to place this claim in condition for allowance.

As set forth above in Section III, Applicants have amended independent claim 1 to recite the allowable subject matter of dependent claims 32 and 33. Accordingly, Applicants respectfully submit that independent claim 1 and its dependent claims are allowable over the combination of *Johnson* and *Reddy*, and respectfully request the withdrawal of these rejections.

**VI. No Waiver**

All of Applicants' arguments are without prejudice or disclaimer. Additionally, Applicants reserve the right to discuss additional distinctions from cited references in a later

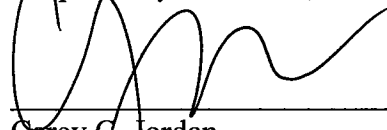
Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements.

**SUMMARY**

In light of the above amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicants believe that no fees are due in association with the filing of this response. Should the Commissioner deem that any fees are due, including any fees for any extensions of time, Applicants respectfully request that the Commissioner accept this as a Petition therefore, and directs that any fees be debited from Baker Botts L.L.P., Deposit Account No. 02-0383, Order Number 063718.0161.

Respectfully submitted,



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Date: July 8, 2008